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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/033,138	11/02/2001	Dongyan Wang	2705-0700	7084
73552 7590 07/17/2008 Stolowitz Ford Cowger LLP 621 SW Morrison St Suite 600 Portland, OR 97205			EXAMINER PERUNGAVOOR, VENKATANARAY	
			ART UNIT 2132	PAPER NUMBER
			MAIL DATE 07/17/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/033,138

Applicant(s)

WANG, DONGYAN

Examiner

Venkat Perungavoor

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 June 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 56-85 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 56-85 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO/SG/US)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 6/11/2008 have been fully considered but they are not persuasive.

The Applicant argues that McFadden fails to disclose the automatically generating of groups and explicitly excluding and including groups to form a desired group based on group definition.

McFadden discloses the defining a group definition to add and delete specific groups to form a desired group see Par. 0142. And further mentions deleting groups from global groups and local groups after being created see Par. 0179. Mcfadden also mentions the creating of groups of different types(private/public, global/local) see Par. 0159.

Therefore, McFadden's inventions covers the scope of this instant invention and extends it further by adding versatility (changing attribute, synchronization and etc...).

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 103

Claims 56-82 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6999783 to Toyryla et al.(hereinafter Toyryla) in view of US Patent 2003/0126137 to McFadden.

Regarding Claim 56, 63, 70, 77, Toyryla discloses the electronically receiving a definition of a first group identifying a first plurality of users see Toyryla Fig. 2 item 11; automatically generating the first group having first plurality of users according to the definition of the first group see Toyryla Par. 0169. But Toyryla does not disclose the electronically receiving a definition of a second group identifying a second plurality of users, automatically generating the second group having second plurality of users according to the definition of the second group, receiving a definition of a desired group, where the definition of the desired group explicitly specifies that the first group is to be included in the desired group and explicitly specifies the second group is to be excluded from the desired group, and automatically generating the desired group to include the first group and exclude the second group according to the received definition of the desired group. However, McFadden discloses the electronically receiving a definition of a second group identifying a second plurality of users see Par. 0153-0158 & 0169; automatically generating the second group having second plurality of users according to the definition of the second group see Par. 0159-0162; receiving a definition of a desired group, where the definition of the desired group specifies that the first group is to be included in the desired group and the second group is to be excluded from the desired group see Par. 0081; and automatically generating the desired group to include the first group and exclude the second group according to the received definition of the desired group see Par. 0114. It would be obvious to one having ordinary skill in the art at the time of the invention to include the adding of second group and the

Art Unit: 2132

inclusive/exclusive nature of groups in the invention of Toyryla in order to managing a group system as taught in McFadden see Par. 0248.

Regarding Claim 58-62, 64-69, 71-76, 78-82, McFadden discloses the membership into groups being exclusive and further of groups in enterprises being included based on attributes, this attribute/rules define the actions that can be taken by users see Par.

0071-0073 & Par. 0179-0183.

Regarding Claim 83-85, McFadden discloses the explicitly specifying of groups to be included and excluded see Par. 0231 & Par. 0245.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Venkat Perungavoor whose telephone number is (571)272-7213. The examiner can normally be reached on 8:30-5:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system.

/V. P./

Examiner, Art Unit 2132

July 15, 2008

/Gilberto Barron Jr/

Supervisory Patent Examiner, Art Unit 2132